

**SCOTTSDALE PRIDE COMMITTEE
ONE CIVIC CENTER
7447 E. INDIAN SCHOOL
PLAN REVIEW CONFERENCE ROOM
SCOTTSDALE, AZ
NOVEMBER 3, 2005**

DRAFT MINUTES

Present:

Cristina Lenko (Chair)
Donald Scott (Vice-Chair)
Vicki Carr
Richard Kimberly
Judy Snyder
Stewart Walowitz
Rosana Organ
Ronald Robins
Sonnie Stevens
Richard Taylor
Cathy Zebarth
Pamela Wheeler

Absent:

Chandra Bonfiglio
Carol Cerrito
Zachary Stahmer

Staff:

Rob Millar
Lisa Cline

Guests:

Diane Wendte; Outside Facilitator
Kathe Anderson; City Atty's Office

CALL TO ORDER

The meeting was called to order at 5:35 p.m. by Chair Lenko. A roll call confirmed the presence of Committee Members as noted above.

PRESENTATION OF AWARD

Chairperson Lenko presented an award to Pamela Wheeler for her service on the Committee for the years 2003 to 2005. Ms. Wheeler will not be in attendance at future Committee meetings.

INTRODUCTION OF GUESTS

Mr. Miller introduced guest, Diane Wendt, who will be facilitating at the Committee's December Retreat.

Chairperson Lenko introduced guest, Kathe Anderson, from the City Attorney's Office, who will be discussing Open Meeting Law.

APPROVAL OF SEPTEMBER MINUTES

MR. SCOTT MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 1, 2005 MEETING. THE MOTION WAS SECONDED BY MR. ORGAN AND CARRIED UNANIMOUSLY BY A VOTE OF TWELVE (12) TO ZERO (0).

VICE-CHAIR SCOTT MOVED TO APPROVE THE MINUTES OF THE OCTOBER 6, 2005 MEETING, AMENDED WITH TYPOGRAPHICAL CORRECTIONS. THE MOTION WAS SECONDED BY MS. ORGAN AND CARRIED UNANIMOUSLY BY A VOTE OF TWELVE (12) TO ZERO (0).

EMAILS AND OPEN LAW MEETING BRIEFING

Ms. Anderson distributed a printed version of a PowerPoint presentation entitled: "Open Meeting Law and Email." She defined the meaning of the Open Meeting Law and how it applies to commissions, committees and subcommittees who conduct public business.

Ms. Anderson read A.R.S. 38-431.01(A): "All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings."

Ms. Anderson defined "a meeting" as a gathering, indicating that a meeting can be achieved via telephone and email, where the presence of an in-person gathering is not needed. She further defined a meeting as being a "gathering of a quorum" indicating that a Scottsdale Pride Committee quorum would consist of at least 8 (eight) of the members.

Ms. Anderson stated that a quorum must discuss, propose or take legal action in order to be in violation of the Open Meeting Law.

Ms. Cline requested clarification on the size of a quorum for a subcommittee. Ms. Anderson clarified that a quorum would be the majority number of the total members on the subcommittee.

Mr. Millar questioned whether subcommittee meetings must be posted prior to taking place. Ms. Anderson affirmed. Ms. Anderson defined "Legal Action" as a collective decision made by a public body pursuant to the commission, committee or subcommittee law; i.e. charter, jurisdiction or mission.

Mr. Taylor questioned whether the discussion has to impact parties other than those who are members of the committee in order to be considered a legal decision. Ms. Anderson offered an example as clarification, stating that a change in the committee rules could be considered a legal action because it would impact the public indirectly. Ms. Anderson discussed the basic provisions of the Open Meeting Law, stating that committees must post notices that include enough information to inform the public of

matters to be discussed, as well as the time and location of when the meeting is to be held. She further stated that an agenda must be prepared and available to the public at least 24 hours prior to any meeting that is scheduled to occur.

Ms. Anderson noted that the key element of the Open Meeting Law is that committee members are not allowed to discuss any item that is not listed on the posted agenda. She noted further that because the agenda is the notice to the public, if there is any deviation from that notice, the committee would be in violation of the Open Meeting Law due to the fact that no notice was given to the public.

Ms. Anderson informed that all meetings must have a record of minutes. This can be done via recording, as well as printed materials.

Ms. Anderson questioned Committee Members with various examples of how to handle potential inadvertent gatherings: "Eight members of the committee show up at Starbucks on a Saturday Morning," stating that as long as no business occurs, members are allowed to gather without notice. She cautioned that the appearance of a regular "perchance" meeting could be a potential problem in the public eye.

Ms. Anderson questioned Committee Members about how to handle email or telephone meetings. Ms. Organ suggested that it is appropriate to discuss issues with one other committee member, but not "reply to all."

Ms. Anderson suggested that email or telephone conversations discussing any business, even with only one other member of the committee should not occur due to the fact that "chain meeting" may occur.

Ms. Organ remarked that email correspondence is needed in order to coordinate subcommittee meetings, noting that generally these emails are sent from the chairperson of the committee.

Ms. Anderson advised avoiding the use of email or telephone to discuss business that is on the next agenda.

Ms. Anderson offered further examples.

Discussion ensued, whereupon Committee Members suggest that so long as Committee business will not be discussed, "perchance" meetings are acceptable. Ms. Anderson advised that if a social gathering or seminar occurs in which many of the committee members will be in attendance, the City Attorney's Office would prefer notification in order to publish notice without agenda for the purposes of erring on the side of caution. Ms. Organ questioned why publication of social gatherings is done. Ms. Anderson clarified that the purpose is to avoid any appearance of impropriety on the part of committees or commissions.

Ms. Anderson clarified the rules for email communication, stating that the same basic provisions of a meeting apply to email communications.

Ms. Anderson discussed the differences of email communication, stating that the possibility of unintended meetings often occur by forwarding or "replying all" to emails.

Ms. Anderson offered an overview of guidance from the Arizona Attorney General's Office regarding the Open Meeting Law, advising that email should not be used to circumvent the Open Meeting Law requirements. She further clarified that the City Attorney's Office is attempting to educate the committees and commissions in order to avoid potential mistakes that would result in circumvention of the law. She stressed that the avoidance of "proposing, discussing or deciding legal matters" via email is essential to being in compliance with the law.

Ms. Anderson discussed an opinion published by the Arizona Attorney General's Office that was a direct result of some organizations not following the Open Meeting Law in the instance where email is concerned. She informed that the proposition of action (adding something to an agenda, for instance) by one committee member to another via email or telephone can be considered a violation of the Open Meeting Law, adding that members should only discuss this type of issue with the committee chair or lead staff member outside of the scheduled meetings.

Ms. Anderson defined "proposing a legal action," stating that there is a fine line between what is and what is not a violation of the Open Meeting Law. She urged the Committee to always err on the side of caution.

Ms. Anderson suggested an addition to all emails that states: "To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members and board members should not reply to this message."

Ms. Cline requested clarification of the allowances of the ability of committee members to reply to an invitation to a subcommittee meeting via email. Ms. Anderson confirmed that invitations and replies to invitations are appropriate.

Ms. Organ requested clarification of the definition of "proposing legal action." Ms. Anderson explained that there is a fine line between what is and what is not a violation of the Open Meeting Law. Urging the Committee to always err on the side of caution includes the avoidance of inserting opinions regarding issues or stating that there is a specific problem that needs to be solved. Whereupon, discussion ensued. Vice-Chair Scott infers that proposing specific action would be in violation of the Open Meeting Law. Ms. Anderson confirmed.

Ms. Organ questioned whether committee members are allowed to contact a council member regarding something seen in the newspaper. Ms. Anderson affirms, stating that contacting parties who are not committee members to discuss something not on an agenda is not in violation of the Open Meeting Law.

Ms. Anderson offered an overview of the previous information and recommendations on how to handle meetings to avoid inadvertently violating the Open Meeting Law.

In response to a question by Ms. Organ, Ms. Anderson explained that the Open Meeting Law has become a focus of the current governmental administration to ensure that public business occurs in public. She stated further that a recently published opinion by the Attorney General's Office regarding email communication by government employees discussing public business is what triggered presentations about the Open Meeting Law to City of Scottsdale Commissions and Committees.

Ms. Lenko questioned whether notice should be published when a quorum of members volunteer their time and efforts. Ms. Anderson suggested informing the City Attorney's Office in order to post notice regarding those types of events.

Ms. Anderson concluded by leaving contact information with the Committee Members. ,

LOS ARCOS NEIGHBORHOOD UPDATE

Mr. Millar distributed an information sheet regarding the canvassing of the Los Arcos neighborhood, noting that the neighborhood includes the areas located south of Roosevelt, north of McKellips, east of Scottsdale Road and west of Miller Rd.

Mr. Millar reported that on Saturday, November 12, 2005 a team of volunteers will be canvassing the area, which includes approximately 593 homes. Every home will be visited.

Mr. Millar stated that the goal of the canvassing is to contact all members of the neighborhood in an effort to obtain feedback regarding the subcommittee's revitalization efforts in the neighborhood.

Mr. Millar invited all Committee Members to participate in the canvassing as well as the picnic that will occur after the canvassing at 7316 E. Garfield. He distributed a map to the location of the picnic.

Mr. Millar informed that in addition to the citizens, members of the Mayor's Council as well as other commissions, boards and committees have been invited to attend the picnic, as well. Any member that would like to participate in the Los Arcos Neighborhood Canvassing and Picnic should contact Decima Sever at 480-312-4126 or dsever@scottsdaleaz.gov.

In response to questions by Ms. Organ, Mr. Millar explained that the teams will consist of two people who will target 25 homes each. All citizens will be contacted via postal mail to inform them of the upcoming events. Members of the Fire Department will be participating in the event.

Upon various additional questions presented by Ms. Organ, Mr. Millar stated uncertainty regarding whether the City will target other neighborhoods and explained that the Los Arcos canvassing came as a result of an intense code enforcement sweep. Los Arcos had the highest concentration of code violations. The intent of the subcommittee is to inform and educate citizens of the resources that are available to assist them in preventing code violations in the future. The data obtained from the sweep, as well as the information obtained from the citizens will be used to evaluate whether code enforcement was beneficial in this neighborhood.

Ms. Cline reported that the Los Arcos Neighborhood recently held a Neighborhood Watch party.

TREASURES AND TRASH UPDATE

Ms. Cline reported that the Treasures and Trash event will be held Saturday, November 5, 2005 from 7:00 a.m. to 11:00 a.m. Pride Members should arrive at 6:00 a.m. to assist in setting up for the event.

Ms. Cline further reported that there will be two additional locations for the event, Papago and Arabian Citizen Service Center. These locations were open to citizens Monday, October 31, 2005 to Thursday, November 3, 2005. Vice Chairperson Scott, Ms. Organ, Ms. Wheeler, Ms. Cline and Ms. Carr will be in attendance at Indian School Park for the event. Indian School Park is located at 4289 N. Hayden.

Chairperson Lenko, Mr. Kimberly, Mr. Millar, Mr. Taylor, Mr. Robins and Mr. Walowitz will be in attendance at Highlands Church for the event. Highlands Church is located at 9050 E. Pinnacle Peak.

Ms. Zebarth will be providing photography services. Ms. Snyder has arranged for Starbucks to provide coffee and pastries for the event. Four hundred sixteen volunteers have registered with 37 groups.

Indian School Park staff has agreed to provide tables and chairs for the event. Mark Ewel has agreed to provide tables and chairs for the event at the Highland Church location.

The raffle tickets from the Papago location will be transported to Indian School Park while the raffle tickets from the Arabian Citizens' Service Center will be transported to the Highlands Church location. Both raffles will be held at 11:00 a.m.

The prizes are as follows:

At the Papago/Indian School Park Raffle: a two (2) night stay at the Marriott Desert Ridge, Dominoes Pizza coupons, Phoenix Rock Gym gift certificates.

At the Arabian Citizens' Service Center/Highlands Church Raffle: a two (2) night stay at the Boulders, a Phoenix Rock Gym gift certificate, and a Target gift certificate in the amount of \$75.

Ms. Cline noted further that the manager who signed the letter offering the Target gift certificate is the only person authorized to release the certificate to the subcommittee. Due to that fact, the raffle for that prize will be done at a later date. Raffles will be held at the individual locations at 11:00 a.m. and the winners will receive notification via telephone.

Ms. Cline suggested that the winners of the larger prizes be in attendance at an upcoming Scottsdale Pride Committee meeting for receipt of their prize.

Ms. Cline will be offering written information regarding locations, supplies, registration forms and t-shirts prior to the event.

Questions regarding the event ensue. Ms. Cline identified that the event will be held from 7 to 11 a.m. Committee Members are to report at 6:00 a.m. Mr. Millar noted that

Committee Members may arrive at the Highlands Church location at 6:15, however, setup must be completed by 6:30.

DECEMBER RETREAT

Ms. Wendt stated that she has 25 years of experience as a facilitator and coach and is an active member of the International Association of Facilitators.

Chairperson Lenko suggested that Committee Members offer suggestions to Ms. Wendt for the upcoming retreat.

Discussion ensued regarding possible topics for the December retreat.
Mr. Walowitz suggested discussing how to assist neighborhoods in revitalization projects.

Ms. Stevens suggested discussing clean up of roadside memorials and alternatives to roadside memorials.

Mr. Kimberly suggested addressing litter pick up in common areas, noting specifically Scenic Drive, East of 80th St.

Further discussion ensued regarding possible alternatives to roadside memorials.

Mr. Millar requested that discussion be held until the retreat, redirecting the discussion to suggestions for the December Retreat Agenda.

Ms. Carr suggested discussing recycling efforts, as well as graffiti removal efforts.

Mr. Robins suggested clarifying current agenda items and whether to continue certain programs.

Ms. Zebrath suggested doing a Clean and Beautiful event in April.

Mr. Taylor suggested discussing a semi-annual clean up twice yearly; possibly renaming the current programs for better identification, such as "Scottsdale Clean and Beautiful Day".

Vice-Chair Scott suggested discussing graffiti and vandalism clean up, specifically: educating the public, establishing Clean Block Program, empowering neighborhood volunteers. He further suggested discussing the creation of more recycling drives; litter prevention education; roll-off trash container availability for block/neighborhood clean-ups. Additional suggestions included offering a community tool shed to neighborhoods that would provide landscaping tools to the citizens; and the possibility of tying into the Keep America Beautiful Program which has 4 events per year.

Ms. Snyder suggested discussing more recycling drives, and the possibility of providing some incentive for businesses to recycle. She further suggested discussing the promotion of waste reduction.

Mr. Walowitz suggested discussion of offering the citizens better education regarding recycling.

Ms. Organ suggested discussion regarding the beautification of the 101.

Chairperson Lenko suggested discussing better ways for the Scottsdale Pride Committee to achieve visibility at sponsored events and the establishment of a community garden for children.

Chairperson Lenko thanked Ms. Wendt for attending.

Mr. Millar distributed the agenda from the 2004 Retreat, as well as a location map for the December 2005 Retreat.

ELECTIONS

Chairperson Lenko opened the floor for nominations.

MS. STEVES NOMINATED MS. LENKO FOR THE POSITION OF CHAIRPERSON. THE NOMINATION WAS SECONDED BY MR. WALOWITZ AND CARRIED UNANIMOUSLY BY A VOTE OF TWELVE (12) TO ZERO (0).

MR. ROBINS NOMINATED MR. SCOTT FOR THE POSITION OF VICE-CHAIRPERSON. THE NOMINATION WAS SECONDED BY CHAIRPERSON LENKO AND CARRIED UNANIMOUSLY BY A VOTE OF TWELVE (12) TO ZERO (0).

VICE-CHAIRPERSON SCOTT NOMINATED MS. ZEBARTH FOR THE POSITION OF SECRETARY/TREASURER. THE NOMINATION IS SECONDED BY MR. WALOWITZ AND CARRIED UNANIMOUSLY BY A VOTE OF TWELVE (12) TO ZERO (0).

STAFF UPDATES

Mr. Millar distributed copies of the Scottsdale Revitalization Program Guide.

Discussion regarding the guide ensued. Mr. Millar reported that the guide will be mailed to homes in the community.

MEMBER UPDATES

Chairperson Lenko discussed the Green Building Store located on North Miller, noting that green building supplies are offered there. Chairperson Lenko suggested that Committee Members visit the store.

Vice Chairperson Scott suggested inviting the owner of the Green Building Store to an upcoming Committee meeting.

Ms. Snyder indicated that Stardust Building Supply, is also a green building supply store. The store works with Habitat for Humanity, as well as a 501(c)(3) non-profit organization.

Mr. Robins questioned whether the Committee should promote Stardust Building Supply, as it is not Scottsdale based business. Chairperson Lenko suggested promoting Stardust Building Supply for donations.

Vice Chairperson Scott suggested offering visibility of Star Dust Building at Scottsdale Pride Committee events.

PUBLIC COMMENT

No members of the public wished to address the Committee.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:10 p.m.

Respectfully submitted,
A/V Tronics, Inc.